

ANITA GRINDSTAFF,

Plaintiff,

v.

ANDREW SAUL, Acting
Commissioner of Social Security,

Defendant.

THIS MATTER comes before the Court on Plaintiff's Motion for Attorneys' Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, filed on September 21, 2020. (Doc. No. 13). Plaintiff indicates that Defendant has consented to this Motion, and Defendant has not objected to the requested fees, (id. at 2), and the time for doing so has expired. Having reviewed the Motion, supporting materials, memorandum in support, and the case file, the Court determines that Plaintiff should be awarded attorneys' fees under EAJA, 28 U.S.C. § 2412(d), in the amount of \$4,099.24 and court costs of \$400.00.

1

first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees, and pay those fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

EAJA allows compensation for costs, including court filing costs; however, such costs are to be paid out of the Department of Treasury's Judgment Fund while fees and expenses are to be paid by the defendant agency. See 28 U.S.C. §§ 1920, 2412. Therefore, the court costs of \$400 shall be paid out of the Department of Treasury's Judgment Fund as a cost, and the attorneys' fees shall be paid by the Social Security Administration.

Signed: July 2, 2021

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

